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02078735.4 10 September 2002 (10.09.2002) EP

(71) Applicant (for all designated States except US): NESTEC
S.A. [CH/CH]; Av. Nestlé 55, CH-1800 Vevey (CH).

(72) Inventors; and

(75) Inventors/Applicants (for US only): ANANTHARAMAN, Helen, Gillian [GB/CN]; Shanghai Racquets Club, 555 Jin Feng Road, Minhang District, Shanghai 201107 (CN). BRIMELOW, Christopher, John, Burton [GB/CN]; Apt PHB, 3 Racquet Club Drive, 555 Jin Feng Road, Minhang District, Shanghai 201107 (CN). CLYDE, Gene, Frank [US/CN]; Shanghai Racquet Club & Apartments, 1 Racquet Club Dr. Apt. GB, 555, Jin Feng Lu Hua, Cao Town, Minhang District, Shanghai 201107 (CN). DAWANCE, Jean-Pierre [BE/CN]; 503 Yujing Rivere Garden Villa, East Side of Baixinzhuang Village, Houshayu, Shunyi County, Beijing 101300 (CN). LAUPIE, Marc [FR/FR]; 10, rue des Mésanges, F-88150 Thon les Vosges (FR). NAROTSKI, Tjin, Dewi [US/CN]; Bldg. 6 Apt. 2D Grand Slam Circle, 555 Jin Feng Road, Zhu Di Town, Minhang District, Shanghai 201107 (CN). SCHUPPISSER, Werner [CH/CH]; Kaiserstuhlstrasse 17, CH-8172 Niederglatt (CH). WU, Weijian [DE/CN]; Jing An Plaza, App. 2228, No.8 Chang Shu Road, Shanghai 200040 (CN).

(74) Agent: BESSIERE, Philippe; Nestec S.A., Avenue Nestlé 55, CH-1800 Vevey (CH).

(81) Designated States (national): AE, AG, AI, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CI, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

(84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SI, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Declarations under Rule 4.17:

- as to applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii)) for the following designations AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW, ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SI, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG)
- as to the applicant's entitlement to claim the priority of the earlier application (Rule 4.17(iii)) for the following designations AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW, ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SI, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG)
- of inventorship (Rule 4.17(iv)) for US only

Published:

- without international search report and to be republished upon receipt of that report

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: WATER BEVERAGE CONTAINING FIBRES

(57) Abstract: The present invention relates to a water-based beverage containing soluble fibres. The water composition is substantially demineralized and has a neutral or acidic pH. The soluble fibres contained in the present water composition are selected from a group comprising oligosaccharides with a chain length of from about 2 to 20 units and digestion-resistant malto-oligosaccharides with a Molecular Weight of about 2000. The present water composition may be stored without adverse effect such as hydrolysis of oligosaccharides nor precipitation of the soluble fibres contained in it.

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Feng Road, Minhang District, Shanghai 201107 (CN).
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Village, Houshayu, Shunyi County, Beijing 101300
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F-88150 Thaon les Vosges (FR). NAROTSKI, Tjin,
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CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH,
GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC,
LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW,
MX, MZ, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC,

SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA,
UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

(84) Designated States (regional): ARIPO patent (GH, GM,
KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW),
Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM),
European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE,
ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO,
SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM,
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KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD,
MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PG, PH,
PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN,
TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW, ARIPO
patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG,
ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU,
TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE,
DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT,
RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM,
GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG)
- as to the applicant's entitlement to claim the priority of the
earlier application (Rule 4.17(iii)) for the following desig-
nations AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY,
BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC,
EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS,
JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA,
MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PG,
PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM,
TN, TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW,
ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ,
UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD,
RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ,
DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NI,
PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI,
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14 October 2004

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oligosaccharides nor precipitation of the soluble fibres contained in it.

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INTERNATIONAL SEARCH REPORT

Inte .pplication No
PL 1/EP 03/09999

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 A23L1/308 A23L1/09 A23L1/304 A23L2/38		
According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED		
Minimum documentation searched (classification system followed by classification symbols) IPC 7 A23L		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO-Internal, WPI Data, PAJ, FSTA, MEDLINE, BIOSIS		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6 248 390 B1 (STILLMAN SUZANNE JAFFE) 19 June 2001 (2001-06-19) cited in the application column 4, line 40 - column 5, line 25 column 6, line 7 - line 31 column 7, line 17 - line 33 example 2	1-3
Y	claims 6,9,13	4,5
Y	BERRY D.: "Hiding Healthful Ingredients" FOOD PRODUCT DESIGN, [Online] May 2002 (2002-05), XP002230318 3400 Dundee Rd. Suite #100, IL, US Retrieved from the Internet: URL: http://www.balchem.com/news/articles/ApplicationsFPD0502.pdf [retrieved on 2003-02-05] page 6 - page 7	4,5
----- -/-		
<input checked="" type="checkbox"/> Further documents are listed in the continuation of box C. <input checked="" type="checkbox"/> Patent family members are listed in annex.		
* Special categories of cited documents : "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier document but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. "&" document member of the same patent family		
Date of the actual completion of the international search 2 February 2004		Date of mailing of the international search report 02.07.2004
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016		Authorized officer Popa, M

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INTERNATIONAL SEARCH REPORT

 Intern: Application No
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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 660 872 A (BOOTEN KARL ET AL) 26 August 1997 (1997-08-26) column 5, line 10 - line 18 column 6, line 51 - column 7, line 5 examples 1,2; tables 1,2 -----	1-3
X	PATENT ABSTRACTS OF JAPAN vol. 2000, no. 09, 13 October 2000 (2000-10-13) & JP 2000 157233 A (NARITA TOMOTAKA), 13 June 2000 (2000-06-13) abstract -----	1,2,4
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X	US 6 004 610 A (TROUP JOHN P ET AL) 21 December 1999 (1999-12-21) the whole document -----	1
A	EP 0 307 523 A (YAKULT HONSHA KK) 22 March 1989 (1989-03-22) examples 1,3 -----	1,3,5
A	US 6 436 446 B1 (FORUSZ SAMUEL L ET AL) 20 August 2002 (2002-08-20) column 1, line 58 - column 2, line 22 claims; examples -----	1-3
A	DE 201 06 845 U (RATS APOTHEKE DR WOLFGANG ALBR) 8 November 2001 (2001-11-08) page 2, line 17 - line 27; claims -----	1-3
A	EP 0 951 844 A (BERNER HANS GUENTER) 27 October 1999 (1999-10-27) page 2; claims -----	1-3
A	NINESS K.R.: "Inulin and Oligofructose: What are They?" THE JOURNAL OF NUTRITION, [Online] vol. 129, no. 7 Suppl., July 1999 (1999-07), pages 1402S-1406S, XP002230319 American Society for Nutritional Sciences, US ISSN: 0022-3166 Retrieved from the Internet: URL:http://www.nutrition.org/contents-by-d ate.0.shtml> [retrieved on 2003-02-04] the whole document ----- -/--	1-5

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/LR 03/09999

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No. *
A	<p>ROBERFROID M.B., DELZENE N.M.: "Dietary fructans" ANNUAL REVIEW OF NUTRITION, ANNUAL REVIEWS INC., PALO ALTO, CA, US, vol. 18, 1998, pages 117-143, XP002123057 ISSN: 0199-9885</p> <p>-----</p>	

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INTERNATIONAL SEARCH REPORT

In ☐ International application No.
PCT/EP 03/09999

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:

3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.

2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.

3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:

4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

1-5

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International Application No. PCT/ EP 03/ 09999

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-5

Neutral water composition comprising demineralised water and soluble fibers that contain oligosacharides with a chain length of 2-20 units

2. claims: 6-8

Acidic water composition comprising water and soluble fibers that comprise maltooligosaccharides with a MW of about 2000

INTERNATIONAL SEARCH REPORT

nation on patent family members

Intern Application No

PC1/EP 03/09999

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INTERNATIONAL SEARCH REPORT

Information on patent family members

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Patent document cited in search report	Publication date	Patent family member(s)	Publication date
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